

#### **Section 16.28.04 Stream Corridor/Wetland Development Standards.**

The following requirements and standards are intended to promote, preserve, and enhance important hydrologic, biological, ecological, aesthetic, and recreational, and educational functions that stream corridors, associated riparian areas, and wetlands provide. The intent of this chapter shall be to avoid damage to life and property due to floods. Any property located within the FEMA Flood Hazard Zone A Boundary Map, as indicated on the adopted map, shall conform to this section.

(1) No development or construction activity, including vegetation removal, grading, excavation, filling, or drainage, shall occur on jurisdictional wetlands without approval from U.S. Army Corps of Engineers and as further outlined herein.

(2) Wetlands may be included as part of any subdivision or development lot. Wetlands may be included as part of the lot provided there is sufficient buildable area outside wetland areas, to accommodate the proposed use.

(3) No person shall engage in any activity that will disturb remove, fill, dredge, clear, destroy, or alter any area, including vegetation, within stream channel, wetlands, and their setbacks as set forth below, except as may be expressly allowed in this chapter.

(4) Setbacks shall be as follows for stream channel and wetlands:

(a) Stream Channel and Wetlands, all buildings, accessory structures, and parking areas or lots shall be set back at least fifty (50) feet horizontally (map distance), from the delineated edge of a wetland unless approved as a conditional use.

(b) All existing vegetation within the stream corridor or wetland setback area shall be preserved, and where necessary to provide adequate screening, or to repair damaged riparian areas, supplemented with additional native or adapted planting and landscaping.

(5) No dwelling, addition or other building used for human habitation shall be constructed within fifty (50) feet of the high water mark of a stream corridor except after a Conditional Use permit has been authorized by the Planning Commission. The Planning Commission shall not authorize a permit therefore unless the following can be shown:

(a) Adequate measures will be taken to protect both the building and other property from damage due to floods

(b) That a flood elevation study has been performed by a qualified engineer, licensed in the State of Utah

(c) All construction and additions to residential structures within the FEMA Flood Zone A shall have the lowest floor including basements elevated one (1) foot above the highest one hundred (100) year flood elevation.